

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION**

DAVID DWAYNE CASSADY,

Plaintiff,

V.

STEVEN D. HALL,

Defendant.

CIVIL ACTION NO. 5:14-CV-25 (MTT)

ORDER

Before the Court is the Report & Recommendation of Magistrate Judge Stephen Hyles. (Doc. 16). Following a preliminary screening of the Plaintiff's amended complaint (Doc. 11) under 28 U.S.C. § 1915A, the Magistrate Judge recommends the Court dismiss the Plaintiff's Eighth Amendment claim against Defendant Keith Eutsey.

The Plaintiff filed an objection to the Magistrate Judge's Recommendation. (Docs. 17). Pursuant to 28 U.S.C. § 636(b)(1), the Court has considered the Plaintiff's objection and made a de novo determination of the portions of the Recommendation to which the Plaintiff objects. Even if a prisoner's letter to supervisory officials reporting an assault at the hands of a guard can be a sufficient basis for the supervisor's liability, the facts as currently alleged by the Plaintiff in this case are insufficient. The Plaintiff's allegations do not show a causal connection between Eutsey's alleged inaction and the Plaintiff's assault or that Eutsey actually knew the Plaintiff was exposed to a substantial risk of serious harm and was deliberately indifferent to the risk he faced.

Accordingly, the Recommendation is **ADOPTED** and made the **ORDER** of the Court. The Plaintiff's Eighth Amendment claim against Defendant Eutsey is **dismissed without prejudice**.

SO ORDERED, this 8th day of August, 2014.

S/ Marc T. Treadwell
MARC T. TREADWELL, JUDGE
UNITED STATES DISTRICT COURT